

1 UNITED STATES DISTRICT COURT  
2  
3 DISTRICT OF NEVADA

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5 CHRISTOPHER BURR, individually and  
6 as adoptive parent and legal guardian of  
7 L.B., a minor; and SUAN HOY guardian  
8 ad litem for L.B., a minor,

9 Case No. 2:20-cv-001101-JCM-EJY

10 ORDER

11 Plaintiff,

12 v.

13 CLARK COUNTY DEPARTMENT OF  
14 FAMILY SERVICES; COUNTY OF  
15 CLARK, a political subdivision of the State of  
16 Nevada; HEATHER MUMMEY, individually  
17 and in her official capacity; TIM BURCH,  
18 individually and in his official capacity; ROE  
19 CLARK COUNTY DEPARTMENT OF  
20 FAMILY SERVICES EMPLOYEES I  
21 through X, individually and in their official  
22 capacities; JONEL KAYE REPOLLO  
23 QUERRER, individually; DOES I through  
24 XX; and ROE CORPORATIONS I through  
25 XX, inclusive,

26 Defendants.

27 Pending before the Court is Defendants' Clark County and Heather Mumney's Motion for  
28 Leave to File Exhibits Under Seal in Support of Motion to Compel L.B.'s Psychological and  
Neuropsychological Examination. ECF No. 36. No opposition to this Motion was filed.

“Historically, courts have recognized a general right to inspect and copy public records and documents, including judicial records and documents.” *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (internal quotation marks and citation omitted). As the party seeking to seal a judicial record, Defendants must meet their burden of overcoming the strong presumption in favor of access and public policies favoring disclosure. *Id. at* 1178-79 (holding that those who seek to maintain the secrecy of documents attached to non-dispositive motions must demonstrate “good cause” supporting secrecy). Here, the records at issue are medical and highly personal to L.B. They are records traditionally protected under HIPAA and disclosed pursuant to

1 the Protective Order in this Case. The Court finds good cause for sealing the exhibits Defendants  
2 attach to their Motion to Compel.

3 Accordingly, IT IS HEREBY ORDERED that Defendants' Clark County and Heather  
4 Mummey's Motion for Leave to File Exhibits Under Seal in Support of Motion to Compel L.B.'s  
5 Psychological and Neuropsychological Examination (ECF No. 36) is GRANTED.

6 IT IS FURTHER ORDERED that Exhibits A, C, D, E, F, G, H, I, J, and O are and shall  
7 remain sealed.

8 Dated this 27th day of April, 2022.

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10 ELAYNA J. YOUCAH  
11 UNITED STATES MAGISTRATE JUDGE  
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